

## NOTICES OF RULEMAKING DOCKET OPENINGS

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening whenever an agency opens a rulemaking docket to consider rulemaking. Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

### NOTICE OF RULEMAKING DOCKET OPENING

#### DEPARTMENT OF ADMINISTRATION

1. **Title and its heading:** 2, Administration  
**Chapter and its heading:** 5, Department of Administration - Personnel Administration  
**Article and its heading:** 3, Classification and Compensation  
**Section number:** R2-5-304
2. **Subject matter of the proposed rules:**  
The proposed rulemaking substitutes flexible performance adjustment policy for the current procedures for annual adjustment reviews effective each January 1. The proposed rulemaking provides a basis for developing implementation procedures for performance adjustments as funded by and according to guidelines established by the legislature for each funding.
3. **A citation to all published notices relating to the proceeding:**  
None published.
4. **Name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: Gordon Carrigan, Human Resources Generalist  
Address: Department of Administration  
1831 West Jefferson, Room 107  
Phoenix, Arizona 85007  
Telephone: (602) 542-4784  
Fax: (602) 542-4507
5. **The time during which written submissions may be made and the time and place where oral comments may be made:**  
The Department will accept written comments between 8 a.m. and 5 p.m. Monday through Friday.  
The Department will accept oral comments between 8 a.m. and 4 p.m., Monday through Friday, at the address listed above.
6. **A timetable for agency decisions or other action in the proceeding:**  
April 5, 1996

### NOTICE OF RULEMAKING DOCKET OPENING

#### DEPARTMENT OF ECONOMIC SECURITY

1. **Title and its heading:** 6, Economic Security  
**Chapter and its heading:** 5, Department of Economic Security - Social Services  
**Article and its heading:** 52, Certification and Supervision of Family Child Care Providers  
**Section numbers:** R6-5-5201 through R6-5-5227
2. **Subject matter of the proposed rules:**  
Article 52 contains the Department's process and standards for certification of persons who receive Department reimbursement for services provided to Department-eligible families. These providers are self-employment; they contract with the Department to provide child care to 4 or fewer children in the provider's own home. These rules also explain the process for monitoring and supervising the providers and their homes. Since these rules were adopted in May 1994, the Department's Child Care Administration (CCA) has identified some rules that require amendment to improve clarity and to make the rules more practical, less burdensome, and subject to greater compliance. The Department may also add greater specificity to the time frames for the certification process.  
  
The Department is also considering an increase in the annual training requirements. Specifically, the rules presently require a provider to annually complete 6 hours of training in areas related to the health and welfare of children, including current training in pediatric CPR and first aid. When adopting this rule, CCA meant for providers to get training in a variety of topics. However, it has turned out that providers are using most, if not all, of the 6 hours to keep the CPR and first aid certifications current. Therefore, the Department is considering changing the annual training requirement to 6 hours in addition to the time required to obtain current certification in CPR and first aid.  
  
The Department is still evaluating the exact changes that it will make to the rules. However, the Department anticipates making at least minor changes to all rules in the Article; these minor changes will be non-substantive improvements in language, grammar, and formatting.

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3. **A citation to all published notices relating to the proceeding:**  
None published.

4. **Name and address of agency personnel with whom persons may communicate regarding the rule:**

Name: Vista Thompson Brown, Legal Analyst

Address: Department of Economic Security  
1789 West Jefferson, Site Code 837A  
Phoenix, Arizona 85007

or

P.O. Box 6123, Site Code 837A  
Phoenix, Arizona 85005

Telephone: (602) 542-6555

Fax: (602) 542-6000

OR

Name: Judie Chalfin  
Family Child Care Provider Specialist

Address: Department of Economic Security  
1789 West Jefferson, Site Code 801A  
Phoenix, Arizona 85007

or

P.O. Box 6123, Site Code 801A  
Phoenix, Arizona 85005

Telephone: (602) 542-4259

Fax: (602) 542-4197

5. **The time during which written submissions may be made and the time and place where oral comments may be made:**

The Department will accept written comments until the close of record which has not yet been scheduled.

The Department has not scheduled an oral proceeding at this time.

6. **A timetable for agency decisions or other action in the proceeding:**

The Department has just begun drafting the amendments to the current rules. The Department cannot finalize amendments until the Department receives final federal budget information, which will impact the Child Care Program and the proposed rule amendments. The Department expects to have a draft of the amendments available for informal review by June 1996. The Department will circulate the draft to interested parties for informal review and comment during summer of 1996. The Department hopes to file proposed rules with the Secretary of State by fall of 1996.

**NOTICE OF RULEMAKING DOCKET OPENING**

**INDUSTRIAL COMMISSION**

1. **Title and its heading:** 20, Commerce, Banking, and Insurance  
**Chapter and its heading:** 5, Industrial Commission of Arizona  
**Article and its heading:** 6, Occupational Safety and Health  
**Section numbers:** R20-5-601 and R20-5-602
2. **Subject matter of the proposed rules:**

In order to conform to the Federal Occupational Safety and Health Standards as required by Section 18(c) of the Federal Occupational Safety and Health Act of 1970 requiring state-administered occupational safety and health programs to adopt standards that are at least as effective as those adopted by the U.S. Department of Labor, the Industrial Commission must update its occupational safety and health standards. The Industrial Commission is amending R20-5-601 and R20-5-602 by adopting by reference amendments to the hazard communication standard in construction and general industry as published in 59 FR 65947-65948, December 22, 1994; amendments to the safety standards for fall protection in the construction industry as published in 60 FR 39254-39255, August 2, 1995; corrections and technical amendments to the standards for logging operations in general industry as published in 60 FR 47022-47037, September 8, 1995; amendments to the occupational exposure to lead standard in general industry as published in 60 FR 52856-52859, October 11, 1995, and amendments to the occupational exposure to asbestos standards for general industry and construction as published in 60 FR 33974-34002, June 29, 1995; amendments to the standard and preamble for exposure to asbestos standards and construction as published in 60 FR 36043-36044, July 13, 1995; and corrections and clarifications to the construction standard for exposure to asbestos standards as published in 60 FR 50411-50413, September 29, 1995. The rules do not include any later amendments or editions of the incorporated matter. Copies of the incorporated by reference material are available for inspection or reproduction at the Division of Occupational Safety and Health, 800 West Washington, Room 203, Phoenix, Arizona 85007.

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3. **A citation to all published notices relating to the proceeding:**  
None published.
4. **Name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: Cathy Neville, Assistant Director  
Address: Division of Occupational Safety and Health  
800 West Washington Street  
Phoenix, Arizona 85007  
Telephone: (602) 542-1695  
Fax: (602) 542-1614
5. **The time during which written submissions may be made and the time and place where oral comments may be made:**  
To be published in the Notice of Proposed Rulemaking.
6. **A timetable for agency decisions or other action in the proceeding:**  
Unknown.

**NOTICE OF RULEMAKING DOCKET OPENING**

**DEPARTMENT OF INSURANCE**

1. **Title and its heading:** 20, Commerce, Banking, and Insurance  
**Chapter and its heading:** 6, Department of Insurance  
**Article and its heading:** 6, Occupational Safety and Health  
**Section numbers:** R20-6-1101, R20-6-1102, R20-6-1104, R20-6-1105, R20-6-1108, R20-6-1110, R20-6-1113, R20-6-1114, and Appendices B, C, and D.
2. **Subject matter of the proposed rules:**  
Medicare Supplement Insurance, including amendments to existing rules regarding medicare supplement insurance in accordance with federal law.  
**The agency docket number, if applicable:**  
96A-014
3. **A citation to all published notices relating to the proceeding:**  
None published.
4. **Name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: Gregory Y. Harris  
Address: Department of Insurance  
2910 North 44th Street, Suite 210  
Phoenix, Arizona 85018  
Telephone: (602) 912-8451  
Fax: (602) 912-8452
5. **The time during which written submissions may be made and the time and place where oral comments may be made:**  
The Department will accept written comments between 8 a.m. and 5 p.m. Monday through Friday.  
The Department will accept oral comments between 8:30 a.m. and 4:30 p.m., Monday through Friday, at the address listed above.
6. **A timetable for agency decisions or other action in the proceeding:**  
The Department received notice of the final version of the required changes to its existing rules on December 15, 1995, from the United States Department of Health and Human Services. The Notice from the Department of Health and Human Services advised the Department that the rule revisions must be in place by April 28, 1996. By emergency rule pursuant to A.R.S. § 41-1026, the Department intends to promulgate the proposed changes to its rules by April 28, 1996, as necessitated by the changes to the federal medical supplement rules. At the same time, the Department intends to pursue the formal adoption of the required amendments to its rules pursuant to the regular rulemaking provisions of Title 41.